

From: Jeremy Reichman
To: Microsoft ATR
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Subject: My view on the proposed Microsoft anti-trust settlement

I find the government's recently-announced Microsoft anti-trust settlement agreement wholly unsatisfactory. I work in the technology field and am a user of both Microsoft and non-Microsoft technologies. In my role at work and my life at home, I am continually pressured to use Microsoft technologies "because they are the standard" or "because that's what everyone else uses." In many cases, I would rather use something compelling from another company, but the demands to "just fit in" are unceasing.

The courts have found Microsoft to be a monopolist. This is undisputed.

Nothing but radical measures can reshape or reform the competitive landscape -- or anti-competitive landscape, as I see it -- that Microsoft has created.

It is true that no competitors have had the willpower to sustain a long and expensive campaign against Microsoft in our free marketplace. But it is also true that everyone just expects Microsoft to win, market after market, dominating each new field they enter. This single company owns the majority of desktop computer systems on the planet with their software, and turned that into dominance of the desktop applications market. They own the Web browser, and are working to make the Internet their own by tying new services to their proprietary Web technologies. They are moving into the hardware realm with input devices (mice, keyboards, etc.) and have worked aggressively to build media properties (MSNBC, MSN). They want to own the handheld computer space, and are doing so based on their already-built monopoly on desktop computers. They seek to own the game console market. They are fighting tooth and nail to push out competition in the server rooms and data centers of the world, and are again doing it by leveraging their position in desktop computing.

Each step is based on their overwhelming control of another market. This is not simply a company trying to stay profitable for its shareholders. This is a company working against the public good of a free and open market. This is a company that has built legal defenses and deep pockets that sustain it in money-losing endeavors in new markets, until they can push competitors into niche spots. Their competitors cannot fairly respond to these attacks because Microsoft builds upon its past and attacks from all angles at once.

I also find it disturbing that Microsoft offers its products to large organizations at such discounted prices that there's very little chance that a competitor could get its foot in the door with a rival product. There's simply little way an independent developer can hope to outprice

Microsoft, whose products can go for much less than a quarter of the retail price when bought on contract. While this saves money, it freezes out other kinds of solutions from different companies.

Do not mistake me: Microsoft builds products that are compelling to consumers and can often stand on their own merits. They are successful at what they do. My point is that they are too successful, and in too many areas, precisely because the technology arena allows them to tie all of their products together so that customers have nowhere to go but Microsoft.

I shudder to think that even my government buckles to this pressure, and will not produce a legal remedy which will actually do something to address the systemic problems that Microsoft presents to all of us.

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